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**December 26, 2002**

You find yourself driving through that crowded parking lot looking for a parking space so you can go in and drop off that letter or get that quick cup of coffee. The only spot close is a disabled person stall right in front of the business. You pull into that spot and send your passenger in to do the business. You leave the car running, and the headlights on. All of a sudden you see a police car pull in behind you and the officer starts to write you a ticket. "But officer, I was only here for 15 seconds and am leaving right now!" It is not going to make a difference. That 15 second parking stall is going to cost you \$280.00. If you do the math, that is only \$18.67 per second. That is even more expensive than Downtown San Francisco Parking.

Usually, disabled person's parking stalls will have a sign consisting of a profile view of a wheelchair with occupant in white on a blue background. You will also find a similar colored profile view painted on the ground in the stall, and often, the curb will also be painted blue. Most of the time, on either the right or left of the stall, you will find an area marked with crosshatched lines. Most people do not realize that this is still part of the disabled person's parking stall, and you will also receive a \$280 ticket. The purpose behind this area is to give disabled persons needing extra room for wheelchairs or other reasons extra area to accommodate them.

When a person is issued a disabled person placard, that placard is issued to a specific person, and may not be used by anyone else. If you are caught misusing a disabled person placard, you will be cited for the parking violation, the placard will be confiscated, and you will receive an additional violation for the misuse of the placard.

I have often issued a vehicle a disabled person parking citation, and have later come to find out that the driver either had a recent surgery, or a broken bone or similar, making it difficult for them to walk. Unfortunately, even under these circumstances, you may not park in the disabled person stall unless you have the placard. A temporary placard may be issued to a person who is temporarily disabled for a period of not more than six months. All you have to do is get a certificate signed by your physician or surgeon indicating the disability, and an approximate date of when that disability is expected to terminate. You take that certificate to the Department of Motor Vehicles, and they can issue you the temporary placard.

I am sure that most of you have noticed over the years that at most intersections, big and small, there are now cut outs in the sidewalks. Effective 1-1-2003, it will now be illegal to park in front of or upon that portion of the curb that has been cut down, lowered, or constructed to provide wheelchair accessibility to the sidewalk.

In the past, if a disabled person had forgotten to display their placard, they could contest the citation, and often it would be dismissed. As of 1-1-2003, the violation can still be dismissed, but the violator will be subject to a \$25 fine for not properly displaying the placard.

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**December 12, 2002**

When you see a green light, that means it is your turn to go. Wrong! This is not always the case. Last week, I handled a traffic accident at a very large, busy intersection, where the person with the green light was found at fault. The vehicle code states that a driver facing a green signal shall proceed, BUT, shall yield the

right-of-way to other traffic and to pedestrians lawfully within the intersection or an adjacent crosswalk.

In the case of the accident that I investigated, a car traveling in the opposite direction had entered the intersection on the yellow light, and the light turned red while the car was still in the intersection. Due to traffic, this car was only traveling at 10-15 MPH. It would take this car 3-4 seconds to clear this large intersection at that speed. The car traveling in the opposite direction saw his green light and proceeded into the intersection and broadsided the other vehicle. Even though the light turned red while the vehicle was in the intersection, that vehicle had the right of way, and the other vehicle should not have proceeded until the intersection was clear. The cars collided at a relatively slow speed, and even then, there was one injury, and over \$13,000 in damage to the vehicles. That is why I always stress that you should wait a second or two when you get a green light, and make sure all cars have cleared the intersection.

I am sure that those of you that drive on Calaveras Blvd., between Highway 680 and Highway 880 have often seen vehicles involved in rear end fender benders. Calaveras Blvd., most of the time, is highly congested with stop and go traffic. There are times when there are some small areas where traffic is not be so heavy, and in these areas, drivers tend to speed up. All of a sudden, they notice that they are too close to the car in front of them, which is stopping for a light or for traffic in front. Remember, it is the driver behinds responsibility to be driving at a distance far enough back, to be able to stop for situations in front. A good rule of thumb is at least one car length for every 10 MPH. In normal situations, this should give you enough distance to perceive, react, and stop for a situation in front. These distances can be greater depending on road and weather conditions.

Please remember to give other drivers advanced warning as to your intentions when you are driving. Don't wait until the last minute to brake, and make sure to use your turn signals at least 100 feet before making any turning movement. Don't be distracted by your cell phone, pagers, passengers, or anything else, and stay focused on your main objective, and that is safe driving.

I would like to take this opportunity to wish all of you a safe and happy holiday season. Remember that if you attend a holiday party and have drunk alcoholic beverages, there will be extra officers on the roads patrolling for drunk drivers. Use a designated driver or call a taxi. In the long run, it will save you lots of money, and maybe save someone's life.

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**November 28, 2002**

About 2 weeks ago I was investigating a traffic accident where the driver made an obviously improper and unsafe turning movement and was found at fault. The driver thought that the accident was not his fault since he "had his turn signal on." This statement made me realize that a large percentage of accidents I investigate are caused by drivers not being aware of their surroundings. Just because a driver has their turn signal on, or stops for that red light or stop sign, does not mean that their next action is going to be safe or legal.

Being a motorcycle officer, I am very cautious when driving next to another car or through an intersection. There have been several occasions where a driver next to me has put their turn signal on and made a lane change into my path without checking their mirrors or blind spot. A blind spot is that area to the side of your car that is not visible when looking through your mirrors. The only way to see that area is to turn your head and check. Every car has a blind spot! Every time I pull a vehicle over for

this reason, I get the same response. "Oh, I am sorry. I did not see you." Well if they checked their mirrors and blind spots, they would have. I always give them the same response of "please sign here."

I did some research in accident statistics, and found that unsafe turning movements cause well over 20% of accidents in Milpitas. Of that 20%, at least 12% are directly related to the failure to use turn signals or the improper use of turn signals. Turn signals are required when preparing for a lane change or turn, and must be displayed at least 100' prior to the turning movement.

Once in a while there are accidents where no matter what anybody did, the accident could not have been avoided. The majority of accidents that I investigate could have been avoided if drivers just took an extra second to make themselves aware of their surroundings and drive a little more defensively. What has saved me several times is to expect the unexpected. Expect that person to run the red light; expect that person to cut you off. Don't place your vehicle in someone's blind spot, or in a position of danger.

If someone gets into a traffic accident, it is obviously a major inconvenience. You have to worry about medical treatments, getting your car repaired, finding a rental car, and paying your vehicle insurance deductibles. People don't usually think about the long term financial impact it can have. A few months ago I did an article on the national economic impact traffic accidents have. In 2000, vehicle crashes on America's roadway reached \$230.6 billion a year, or an average of \$820 for every person living in the United States.

If you are involved in a traffic accident, and are found at fault, you will probably be issued a ticket. Not only will you get one point on your driving record for causing the accident, but you will also receive a second point for the ticket. I recently contacted one of the large car insurance companies and asked them about rates. They stated that if a person with a good driving record is found at fault of an accident, and receives a citation, their insurance premium will increase between 75% and 100%. This could be even higher if the driver is under 25 years old.

Remember that the law states that you must use your turn signals continuously during the last 100 feet before turning right or left. Just because you had your turn signal on does not mean that you can make the turn. No person may turn a vehicle from a direct course until that movement can be made with reasonable safety.

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**October 31, 2002**

By the time most of you read this article, you hopefully will be adjusted to the time change from last Sunday. Since tonight is Halloween, I thought this would be a good time to review safety information for motorists, as well as those enthusiastic trick or treaters. Because of the time change and the fact that it will be darker earlier, please remember to stay alert if you drive. Neighborhoods that don't normally have a lot of pedestrian and bicycle traffic may experience an increase on Halloween night. Those sugar-crazed kids will be excited, and may be trying to visit as many houses as possible.

As the trick or treaters are running from house to house, they may dart into traffic from between parked cars. You will probably want to slow down below the speed limit, especially when driving in area's where there are lots of parked cars. Be patient and slow down. Give children lots of time to cross the street. Their costumes may impair their ability to see and hear you. Also, their costumes may be dark, making

them difficult to see.

A large responsibility for a safe Halloween goes to the trick or treaters and their parents. By you educating your children, and taking a few small precautions, we can make sure that everyone will be safe. Make sure that costumes are light colored and clearly visible to motorists. If the costumes are dark, help decorate them with reflective tape that will glow in the beam of a car's headlight. You can also use reflective tape on the candy bags. The tape can be purchased at bicycle, hardware, and sporting goods stores. You should also make sure that the costumes are short enough so they don't cause children to trip and fall.

Costumes masks can be big and bulky, and could affect a child's hearing or vision. If necessary, enlarge ear and eye holes, or use makeup to create special effects. Tie hats and scarves securely to prevent them from slipping over the children's eyes. Make sure that you keep a constant eye on your children, and that you inspect all their treats before eating them. If you find any suspicious candy, such as opened wrappers, home made treats from people you don't know, or anything else that you are not sure of, throw the item away. If you do indeed find something, make sure that you call the police department immediately.

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### **October 17, 2002**

Lately, I have seen an increase of drivers carrying their pink slips inside their vehicles. For those of you who do not know, the pink slip is the certificate of ownership of the vehicle. If a vehicle is being financed, the pink slip is held by the finance company until the vehicle is paid off. If you fully own the vehicle, you should have the pink slip. The pink slip is really the only way of showing you are the owner of that car.

When you sell the car, you sign over the pink slip to the new owner and that is how the new owner proves the car is his. He or she then goes to DMV and registers the car in their name. If your car is stolen, and the pink slip is in the car, the car thief could easily forge your signature on the pink slip. The thief could then sell your \$30,000 car for \$10,000 to an unsuspecting buyer who thinks they are just getting a really good deal. By the time the new owner finds out the car is stolen, the car thief is long gone.

To protect yourself, keep your pink slip at home in a safe place or in a safety deposit box at your bank. If you do sell your car, even though you have signed over the pink slip to the new owner, you should notify DMV to advise them of the sale. This can be done with a release of liability form, which you can get from the DMV. There is usually one attached to your pink slip also.

It is very important to let DMV know your current address at all times. This way, they can contact you with important information about vehicle registrations and driver's licensing. It seems that a majority of the people I stop, don't have their current address on file with the DMV. The California Vehicle Code states that a person, who has a California Driver's License, or who has a car registered in California, must within 10 days of moving contact the DMV with the new address. They must also write this new address on the driver's license or registration.

On a much more serious note, I received a phone call from a concerned citizen regarding seeing young children left unattended in vehicles. It is unlawful to leave a child 6 years old or younger without supervision of a person who is 12 years or older. There are also much more serious laws if something happens to that child. I am sure that most of you have heard of parents being charged with murder because they left

their child inside of a vehicle and something terrible occurred. If you have to run in to that 7-11 for a cup a coffee and will be gone for just one minute, take the extra minute and take your child in with you. Remember all it takes is 5 seconds for someone to kidnap the child.

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### **October 03, 2002**

Every once in a while, things happen in front of my eyes while I am working, where if I did not see it, I would not believe it. An example of this was about 2 weeks ago in the area of Dixon Landing Rd., which is on the North side of Milpitas at the Fremont Border.

Because of the Dixon Landing overpass construction at Highway 880, traffic is very congested on Dixon Landing Rd in the mornings. Mid block of Dixon Landing Rd., there are two sets of railroad tracks. One morning, while I was patrolling the area on my Police Motorcycle, I saw 5 cars stopped on the railroad tracks in heavy traffic. These cars could neither move forward or backwards due to the heavy traffic.

All of sudden what I feared happened. I first saw the flashing railroad lights, and then heard the warning bells sound. There was absolutely nothing I could do but watch. I could see the fear and panic on the driver's faces as the railroad arms started to come down. 3 of the vehicles were able to get out of the way, by driving over a divider on the wrong side of the road, and the other two were able to slide in the other direction, but could not beat the arms coming down. Luckily for them the train was a very slow moving one, and they were able to go around the arms and get off the tracks.

Needless to say, 15 minutes later, all 5 drivers were safely on their way to work, each with their own personal traffic citation, autographed my me.

I went back the next day, to specifically monitor the railroad tracks, and wrote another 6 citations that morning. There was actually one car that did not want to wait for a slow moving train to pass, so he went around the arms that were down, just before the train arrived. A few days later, there was a traffic accident where a truck went under the railroad arms, and broke one of them off. Like I said, if I did not see these things, I would not believe it.

Section 22526 C of the California Vehicle Code states that a vehicle shall not enter a railroad or rail transit crossing, unless there is sufficient space on the other side of the railroad or rail transit crossing to accommodate the vehicle driven. All this means is drivers have to wait at one side of the railroad crossing until it is clear for them to safely pass. This also applies to intersections where there is a light rail crossing. My question of the week is, if a car and a train collide, which one would have more damage. (Answer: The Car) Is it worth losing 5 minutes in your day, or the rest of your life?

On a similar subject, it seems that I have seen an increase in vehicles blocking intersections during heavy commute times. Better known as "gridlock" this violation can frustrate the calmest of drivers, causing them to drive on the wrong side of the road to get around cars blocking the intersection. Remember that it is against the law to enter an intersection until there is sufficient space on the other side of the intersection to make it all the way through. Even if your light is still green, it is still a violation of the law to have to stop in the intersection. The city of Milpitas has placed "Do Not Block Intersection" signs at several intersections within the City to remind drivers of this law. Even though an intersection may not have these reminder signs, the gridlock law applies.

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**September 05, 2002**

It only seems like it was a few weeks ago, I was writing about the end of school and graduation safety. I hope everyone had a great summer and is looking forward to an exciting new school year. With the start of the school year for the 2002-2003 year, the Milpitas Police Department will be in full force, patrolling all of the public and private schools and surrounding areas. For those of you that live near school areas, and those of you that drive through those areas, I am sure you know that traffic can become quite congested in those areas.

Patrol and traffic officers will be monitoring for dangerous or illegal traffic violations and issuing citations if applicable. On Monday August 26, which was the first day of school, I was parked in front of Russell Jr. High and could not believe the amount of drivers and passengers that were not wearing their seatbelts. Please remember that it is the parents or drivers responsibility to make sure all passengers, especially children, need to be wearing their seatbelt or be in a child seat if they are under 6 years or under 60 pounds.

The area of Escuela Parkway, where Milpitas High School, Thomas Russell Middle School and Pomeroy Elementary School are, have a student population of about 4,000. With this large amount of students, the entire area becomes gridlocked, especially during the morning and afternoon hours. A recommendation I can make is if you don't have to be in that area when school starts or gets out, don't. If you live in the area, or have to go through the area, you may want to plan ahead, and find an alternate route to avoid the area. If you do have students that you drive to school, try to set up a carpool program with other families. This will help with the traffic congestion and you will avoid the hassle of having to drive in the area every day.

For those of you that do have to pick up students in the area of Escuela Parkway, you should become familiar with your particular schools procedures for student pick up and drop off. In certain areas on the street, there are signs stating 3 minute loading zone. This means that this is one of the areas you can pick up and drop off students. This does not mean you can leave your car unattended or be there longer than 3 minutes. If so, you are subject to a \$35 parking citation. Also, there are numerous areas where there are No Stopping signs. At no time, even if it is for 10 seconds to drop off a student, can you stop there. If an officer sees you there, you will receive a citation. The reason that certain areas are no stopping areas is because it dramatically places pedestrians, bicycles, or other vehicles in danger.

Even though I have addressed this issue in other articles, please remember that the speed limit in school zones when children are present is always 25 MPH. You must also follow the direction of the crossing guards at all times.

I would love to see an entire school year where there are no pedestrian or bicycle injury accidents in the school areas. Please remember to drive safely and especially be courteous to other drivers.

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**August 15, 2002**

Last week I came across an interesting study about traffic accidents that was

conducted by the National Highway Traffic Safety Administration. While most of us think that traffic accidents only affect those parties involved, it actually has a major economic impact on the entire nation. It also made me realize why our insurance premiums are so high.

In the study that uses statistics from 2000, vehicle crashes on America's roadways has reached \$230.6 billion a year, or an average of \$820 for every person living in the United States. The U.S. economic cost for an average roadway fatality is around \$977,000 and the economic cost associated with a critically injured crash survivor is \$1.1 million.

This study also emphasizes the importance of the use of seatbelts. In one year, the use of seat belts prevents approximately 11,900 fatalities, and 325,000 serious injuries, saving \$50 billion in medical care, lost productivity and other injury related costs. By drivers or passengers not wearing seatbelts, this causes an estimated 9,200 unnecessary fatalities, and 143,000 needless injuries, costing society \$26 billion.

In 2000, alcohol related traffic accidents resulted in an estimated 16,792 fatalities, and 513,000 non-fatal injuries, and \$50.9 billion in economic costs. Such crashes account for 22 percent of all crash costs.

The study determined that excessive driving speed is associated annually with 12,350 fatalities and 690,000 non-fatal injuries. Accidents in where at least one driver was exceeding the speed limit or driving too fast for conditions cost \$40.4 billion or \$144 for every person living in the United States.

Per the National Highway Traffic Safety Administration, annually, \$61 billion dollars a year or lost in workplace productivity due to traffic accidents. \$20.2 billion a year are lost in household productivity, \$59 billion in property damage, \$32.6 billion in medical costs, and \$25.6 billion in travel delay costs.

Private insurers pay about 50 percent of these related costs and the individual crash victims pay about 26 percent. The rest is paid from public, federal, state, and city revenues.

In the year 2000, which the researches used as basis for determining the annual economic impact of motor vehicle crashes, 41,821 persons were killed, 5.3 million were injured, and 27.6 million vehicles were damaged.

On the lighter side of things, I would like to give the readers an opportunity to share funny or interesting situations they have experienced regarding any traffic related matters. Please e-mail your experiences to me so I can share them with the other readers.

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**August 01, 2002**

A few weeks ago, I wrote an article on ways of avoiding accidents by driving at speeds safe for conditions, as well as driving at a safe distance from vehicles in front of you. I picked up a few interesting facts that I wanted to pass on to the readers.

A method of determining how many feet per second a vehicle travels is you take the miles per hour, and multiply it by 1.47. For example, if a vehicle is moving at 30 miles per hour, it is traveling 44 feet per second.

If a person is driving down the road, and a situation occurs in front of them, on the average, it takes a person  $\frac{3}{4}$  of a second to perceive the situation, and  $\frac{3}{4}$  of a second to react to the situation. It will take the average driver  $1\frac{1}{2}$  seconds to perceive and react to an emergency. That is why it is very important to leave yourself room between you and the car in front of you. At 60 miles per hour, it would take you 132 feet to react to an emergency.

Also, the faster a vehicle travels, the longer it takes to brake to a stop. The increase in stopping distance is not gradual. As you get into the faster speeds, the stopping distance dramatically increases. For example, at 25 miles per hour, the total stopping distance, including reaction and perception is 85 feet. At 40 mph, the total stopping distance is 164 feet. At 60 mph, the total stopping distance dramatically increases to 303'. If you are driving 40 mph in a 25 mph school zone, and a child decides to run out in front of your vehicle, it would take you 80 feet longer to come to a complete stop. If that child was only 90-100 feet in front, you can imagine what would happen!

When I pull over a driver for speeding, they will often respond by saying that 15 mph over the speed limit is not that bad. Well, now you can see that 15 mph can mean the difference between avoiding a situation and having an accident.

People always ask me if I have a pet peeve that causes me to issue citations almost always. Yes I do, and that is littering. The major source of littering I often see are people throwing their cigarettes out the window. I don't have a problem if adults want to smoke, but do have a problem when they elect not to dirty their ashtrays, but don't care about dirtying our streets. When I see this violation, I do pull them over and do issue a citation. Just a couple of weeks ago, I went to court on a littering violation. The defendant was found guilty and fined a mandatory \$280. Is it worth the \$280 not to dirty your ashtray? Until next time, be safe and be careful.

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**July 11, 2002**

I hope every one enjoyed their 4th of July Celebrations. I want to thank all the readers who responded over the last week to me via e-mail with their questions and comments regarding my last article.

I received a question from Mr. Earl Boggs asking that if drivers are driving on a road, and the flow of traffic is greater than the posted speed limit must you drive at a faster speed to avoid getting a ticket. The answer is "no."

For those of you that have driven on freeways, such as Highway 5 between the Bay Area and Los Angeles, know that some vehicles will drive at 90 miles per hour or faster. I have driven this route many times and have seen 5-6 cars pulled over at one time by several CHP Officers for speeding. All these cars were going with the flow of traffic, but all were in violation of the law.

But on the other hand, you can get a ticket for driving too slow in certain situations. According to section 22400 (a) of the Vehicle Code, no person shall drive at such a slow speed as to impede or block the normal and reasonable movement of traffic, unless the reduced speed is necessary for safe operation. This section though does not apply if you have to drive over the posted speed limit to keep up with traffic.

I bet most readers don't know that you can still get a speeding ticket even if you are driving under the posted speed limit. The basic speed law states that no person shall drive a vehicle at a speed greater than is reasonable or prudent, having due regard



for weather, visibility, the traffic on, and the conditions of the roadway. For example, if the road you are driving on is 35 miles per hour, and the weather conditions are good, and the traffic is light, and there are no extenuating circumstances, then the safe speed would probably be 35 miles per hour.

Take the same road, but this time add rain or fog, heavy traffic, potholes in the road construction work, or any other circumstances that may affect the conditions of the road. At this time, the safe speed to drive on this road may not be the posted 35 miles per hour, but may be 25 or 30, or even slower, and you could receive a speeding ticket. How many times have we heard about the 80 or 100 car pile ups on highways that had very dense fog, and the reason for the accident was unsafe speed for conditions, even though the vehicles were traveling well below the posted speed at the time of the accident.

Remember that on certain roads or situations, the speed limit is always the same, even though it is not posted. If you cross an uncontrolled railroad crossing, the speed limit is always 15 miles per hour, even if not posted. The speed limit in a business or residential area, unless otherwise posted, is always 25 miles per hour.

It is also a 25 mile per hour zone, when passing a school that has a warning sign "while children are present" or similar. This 25-mile per hour zone also applies at all times during school session, if the school is not separated by a fence or barrier from the highway. This last section does not really apply to us in Milpitas, as I think all the schools have surrounding fences or barriers. The places where you have to be careful are those county roads, in the middle of nowhere, where there is that one building school. Trust me on this one, as some one I know can testify that driving 55 miles per hour past one of these schools can be a very expensive ticket.

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### **June 27, 2002**

About 2 weeks ago I was on my way home from work and was driving North on Highway 680. The traffic was pretty heavy and I came across a traffic accident in the area of 680 and Scott Creek Road. The cars were off to the side of the road and everyone seemed to be ok. I could tell from the damage to the vehicles that it was a rear end type accident, and that the person in the back was probably at fault. Most likely, the person was either following too close, driving too fast for the conditions of stop and go traffic, or just not paying close attention.

Even though I am usually a safe driver, I looked at the accident, and it made me aware of my surroundings. I slowed down a little bit, gave myself extra room between me and the car in front, and paid close attention to brake lights ahead.

No more than a half mile ahead, I saw another accident with the same scenario. A rear ender, cars off to the side of the road, and it appeared that there were no injuries. I thought to myself that if these people would have done what I did after seeing the first accident, and paid a little more attention to their driving, they may not be in the situation they were in. Needless to say, I saw three more accidents, all rear enders, within a two-mile stretch on the freeway. I was sure glad when I took my exit and got off the freeway. I had felt comfortable about my driving, but based on what I had seen, was not feeling too safe about being the next rear end victim.

The only thing I can give credit to these drivers was that they did pull their vehicles off the road so not to block traffic anymore, or cause anymore backup than necessary. While working, I often come across traffic accidents where the involved parties leave their vehicles in the middle of the road while waiting for the police to

arrive. The best rule of thumb is that if you are involved in a traffic accident and there are none or very minor injuries, and you are able to safely drive your vehicle, pull your vehicles off to the side of the road, or into a parking lot and then call the police if you want. This will help traffic move, and stop "rubber neckers" from maybe causing another accident.

Every month, we receive a statistical analysis of traffic accidents that occur in the City of Milpitas. Almost every month the information is the same. Most of the accidents occur on Calaveras Blvd., and Great Mall Parkway. The type of accident, well if you guessed rear enders, you are correct. The cause, following too close, driving too fast for conditions, or just not paying attention. The excuse I hear from the at fault drivers is usually, "I did not expect traffic to stop so quickly."

Everyone that lives in Milpitas, or drives through Milpitas, knows that traffic on Calaveras Blvd. and Great Mall Parkway is heavy most of the time, with stop and go traffic. I truly feel that if drivers would give themselves a little extra room between cars, drive just a little bit slower, and expect other drivers to do something you would not expect them to do, we would see a big decrease in traffic accidents on these roads.

As most of the readers know, I drive a motorcycle at work, 9 hours a day, 5 days a week. If I rear end someone, get rear ended or sideswiped, it is probably going to be an injury accident, with me getting the worst of it. Every time I get on the bike, I follow the rules I just talked about, and it has saved me numerous times.

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### **June 13, 2002**

I want to take this time to congratulate the entire graduating class of Milpitas High School and Calaveras Hills High School of 2002. I know that this is an exciting time in your life, and the time to celebrate your accomplishments. Unfortunately, there is a history of combining alcohol with graduation celebrations, and what is suppose to be the greatest time of your life so far, can turn into tragedy.

Approximately 40% of all 16-20 year olds who died in automobile accidents in 2000 were killed in alcohol related accidents. That is about 2500 of your classmates. That is about 7 young people killed every day in alcohol-related crashes. This does not even take into account all of the other alcohol and drug-related deaths. These are just the numbers of those who died because someone chose to drive after drinking.

The Milpitas Police Department is in the process of educating our high school students in the dangers of drinking and driving and publicizing a "Sober Graduation." In May, members of our Drinking and Driving Enforcement team took selected students from Milpitas High School, and showed them what it would be like to be arrested for DUI. It was simulated that the students had been pulled over for suspected DUI, and had to go through a field sobriety test. The students were given special goggles to wear that distorts their vision and simulates intoxication. The students were then handcuffed and transported to County Jail, where they were shown the booking process, and given a tour of the jail.

On June 12, Officer Kevin Corvin and Officer Ken Hansen will be conducting an assembly at Milpitas High, talking about the dangers of drinking and driving. Flyers are also being distributed to local liquor stores and businesses that sell alcoholic beverages warning them about the high potential for minors attempting to purchase alcoholic beverages. They are being instructed to contact the Milpitas Police Department to report any possible violations. Flyers are also being distributed to

hotels and motels in the area warning them about graduation parties, and underage drinking. They are also being instructed to contact MPD to report any violations of underage drinking.

If you are a minor and get cited/arrested for possession of alcohol or drugs, you will lose your driver's license or your privilege to get a license for one year. If you are caught with alcohol in a vehicle, you will pay a fine up to \$1000, or serve up to six months in jail, or both. If you are driving a vehicle, and have ANY trace of alcohol in your system, your driver's license will be suspended for one year.

The legal limit to be presumed a drunk driver as an adult is .08%. If you are under 21 years old, the presumed limit to be considered drunk driving is .05%. This does not mean that you can't be arrested for DUI if you are lower than .05%. The bottom line is that if you are under 21 years old, it is against the law to drive with any alcohol in your system.

If you think a DUI related accident couldn't happen to you or someone you know, it can. When I was 17 years old, a friend of mine was involved in a traffic collision where he was drunk driving. Four people in the other vehicle died. Could you live with that guilt for the rest of your life?

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**May 23, 2002**

Now that there is a Light Rail Station in Milpitas, I have seen an increase of County Transit Buses in Milpitas. I have also seen more and more motorists violating a relatively new law requiring them to yield to county Transit Buses in certain situations. In January 2000, California Vehicle Code Section 21810 was established. Currently, this law is only applicable to the Santa Cruz Metropolitan Transit District, the Orange County Transportation Authority, the Alameda-Contra Costa Transit District, and the Santa Clara County Transit District.

Over a year ago, the Santa Clara Valley Transportation Authority began placing flashing yield signs on the left rear portion of their buses. When the bus is pulling back into traffic after picking up or dropping off passengers, this yield sign will flash.

Section 21810 of the California Vehicle Code states that the driver of a vehicle overtaking a transit bus shall yield the right-of-way to the bus when certain conditions are met. First of all, the bus has to have entirely exited an active traffic lane to board or deboard passengers at a designated bus stop, and is attempting to reenter the lane from which it exited. The directional signals on the transit bus must be flashing to indicate that the bus is preparing to merge with traffic, and the transit bus must be equipped with a yield right-of-way sign on the left rear of the bus.

The yield sign must be designed to warn a person operating a motor vehicle approaching the rear of the bus that the person is required to yield the right-of-way to the bus when the bus is entering traffic. It must also be illuminated by a flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers.

Even when all the above conditions are met, it does not relieve the bus driver from the duty to drive the bus with due regard for the safety of all persons and property.

It is very difficult to have to drive a large bus and to pull in and out of traffic all day, especially in the heavy traffic we see here in Santa Clara County. Remember when

you see the flashing yield sign on the back of a Transit Bus, to yield the right-of-way, and let the bus pull out. This may save you and your vehicle from a traffic accident, or your wallet from a traffic citation and fine.

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**May 09, 2002**

I was pleased to return from a 2-week vacation to find about 20 emails from readers regarding my past 2 articles. I was able to address each question or comment individually and want to thank all of you that sent those to me. After several bus and taxi rides we took while out of the country, in places where a red light means stop if you are in the mood, and passing another car on a one lane mountain road falls under the saying "do you feel lucky today," I am glad to be back in Milpitas.

Over the past few years, there has been an increase in the use of motorized scooters, and I thought this would be a good time to address the do's and don'ts relating to scooters. A motorized scooter is defined as a two-wheeled device that has handlebars, is designed to be stood or sat upon, and is powered by an electric motor, or a gasoline engine.

**An operator of a motor scooter is not required to be licensed, but must be at least 16 years of age. The operator of the motorized scooter must at all times wear an approved bicycle helmet.**

Motorized scooters must be equipped with a brake that enables the operator to make a braked wheel skid on dry level clean pavement. If the scooter is operated at night, a white light, which illuminates the highway in front of the operator at least 300 feet, must be mounted on the scooter or attached to the operator. There must also be a red reflector visible for 500 feet mounted on the scooter or attached to the operator, and either a white or yellow reflector visible to the side for 200 feet attached to the scooter.

A motorized scooter may not be driven on a highway with a speed limit in excess of 25 miles per hour, unless there is a bicycle lane. **At no time, no matter what the posted speed limit is, will a motorized scooter be driven at a speed greater than 15 miles per hour.**

Operators must ride scooters within marked bicycle lanes. If no marked lanes are available, riders must ride adjacent to the right hand curb or roadway edge. To make a turn across traffic lanes, the operator is required to pull to the curb, dismount, and complete the turn by walking the scooter across the street. The operator must always have at least one hand on the handlebar, may never carry an additional passenger, and may never ride on the sidewalk.

Lately the police department has received complaints from residents that people are riding the scooters in Milpitas City Parks. Just a friendly reminder that per section V-9-3.06(a) of the Milpitas Municipal Code, motor vehicles are not allowed in any City Park.

The California Legislature finds that the state has severe traffic congestion and air pollution problems and realizes that motorized scooters can help, as long as the operators obey all laws as listed in the California Vehicle Code. Because of the increasing numbers of complaints from Milpitas Residents regarding underage operators, operators without helmets, speeding scooters and scooters in the parks, the Milpitas Police Department will be increasing its patrol for these violations, with

the possibility of criminal citations issued to operators that violate laws relating to the use of motorized scooters.

ows on the road. No type of window shade is legal to these same windows.

Any modification to the air/fuel intake will result in a citation that can only be signed off by a Department of Motor Vehicles referee. No vehicle can be lowered past the lowest point of the car's rim. All lights on the car must comply with the vehicle code as to it's color, height and location. The car's exhaust can not be modified to make it louder. The car's tires must be in good condition with the proper amount of tread. Some people overload the back of their truck and the weight exceeds the tire's limit. Major dollar modifications to the car may mean that you owe additional registration fees.

It's important to remember that not all the accessories that are available for your car comply with our state's vehicle code. This was done to ensure the safety of everyone who uses the public roadways. If you have a question about a modification or change, contact the police or DMV.